

THE HONORABLE BENJAMIN H. SETTLE

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA

LUMENTUM OPERATIONS LLC,

Plaintiff,

v.

NLIGHT, INC.; DAHV KLINER; and
ROGER L. FARROW,

Defendants.

NO. 3:22-CV-05186-BHS

**STIPULATED MOTION AND ORDER
TO MODIFY SCHEDULING ORDER**

**NOTE ON MOTION CALENDAR:
FRIDAY, MARCH 5, 2024**

STIPULATED MOTION

Pursuant to LCR 16(b)(6), Plaintiff Lumentum Operations LLC (“Lumentum”) and Defendants nLIGHT, Inc. (“nLIGHT”), Dahv Kliner (“Kliner”), and Roger L. Farrow (“Farrow”) (collectively, the “Parties”), by and through the undersigned counsel, hereby respectfully submit this Stipulated Motion to Modify the Scheduling Order (Dkt. 47).

Since the Court issued the Scheduling Order, the Parties have completed claim construction, served discovery and produced documents, conducted one deposition with additional depositions scheduled, and met-and-conferred on discovery disputes. Recently, the undersigned lead counsel for both parties have experienced unexpected parental care emergencies that have required travel and will likely require additional travel in the coming months. In light of the approaching pre-trial deadlines and the need to conduct further discovery and take additional depositions in advance of expert disclosures, the Parties agree that good

STIPULATED MOTION AND ORDER TO MODIFY SCHEDULING ORDER - 1

Case No. 3:22-cv-05186-BHS

FAEGRE DRINKER BIDDLE & REATH LLP
1144 15TH ST. #3400
DENVER, CO 80202
(303) 607-3500

cause exists to slightly modify the Scheduling Order as set forth below. This request only seeks to modify the first four pre-trial dates while keeping the trial date and remaining pre-trial dates the same:

Event	Current Date	Revised Date
Expert Witness Disclosure/Reports Deadline	April 8, 2024	April 29, 2024
Rebuttal Expert Disclosure/Reports Deadline	May 8, 2024	June 5, 2024
Motions Deadline	May 20, 2024	June 10, 2024
Discovery Deadline	June 17, 2024	July 1, 2024
Dispositive Motions Deadline	July 17, 2024	July 17, 2024
Motions in Limine Deadline	September 9, 2024	September 16, 2024
Pretrial Order Deadline	September 23, 2024	September 23, 2024
Voire Dire, Jury Instruction, Trial Brief, and Agreed Neutral Statement of the Case, and Deposition Designations Deadline	September 24, 2024	September 24, 2024
Pretrial Conference	September 30, 2024, at 3:00 PM	September 30, 2024, at 3:00 PM
Seven Day Jury Trial set to commence	October 15, 2024, at 9:00 AM	October 15, 2024, at 9:00 AM

For the foregoing reasons, the Parties respectfully request that the Court modify the Scheduling Order as set forth above. A proposed Order is submitted herewith.

IT IS SO STIPULATED, THROUGH COUNSEL OF RECORD.

DATED this 5th day of March, 2024.

FAEGRE DRINKER BIDDLE & REATH LLP

By: s/ Joel D. Sayres
 Joel D. Sayres
 Shelby Pickar-Dennis
 1144 15th Street, Suite 3400
 Denver, CO 80202

Telephone: (303) 607-3500
Joel.Sayres@FaegreDrinker.com
Shelby.Pickar-Dennis@FaegreDrinker.com

David J.F. Gross
Braden M. Katterheinrich
Johnathon E. Webb
Doowon R. Chung
2200 Wells Fargo Center
90 S. 7th Street, Suite 2300
Minneapolis, MN 55402
Telephone: (612) 766-7000
David.Gross@FaegreDrinker.com
Braden.Katterheinrich@FaegreDrinker.com
Johnathon.Webb@FaegreDrinker.com
Doowon.Chung@FaegreDrinker.com

Zachary D. Wawrzyniakowski
320 South Canal Street, Suite 3300
Chicago, IL 60606-5707
Telephone: (312) 569-1000
Zachary.Wawrzyniakowski@FaegreDrinker.com

CORR|DOWNS PLLC

Joseph P. Corr, WSBA No. 36584
100 W Harrison St, Suite N440
Seattle, WA 98119
Telephone: 206.962.5040
ghoog@corrdowns.com
jcorr@corrdowns.com

Attorneys for Plaintiff Lumentum Operations LLC

1 WILEY REIN LLP

2 By: s/ Scott A. Felder

3 Scott A. Felder (*Pro Hac Vice*)
4 Wesley E. Weeks (*Pro Hac Vice*)
5 2050 M Street NW
6 Washington, DC 20036
7 Tel: (202) 719-7000
8 sfelder@wiley.law
9 wweeks@wiley.law

10 HARRIGAN LEYH FARMER & THOMSEN
11 LLP

12 Tyler L. Farmer, WSBA No. 39912
13 Elisabeth Read, WSBA No. 59762
14 999 Third Avenue, Suite 4400
15 Seattle, WA 98104
16 Tel: (206) 623-1700
17 tylerf@harriganleyh.com
18 elisabeth.read@harriganleyn.com

19 *Attorneys for Defendants nLIGHT, Inc., Dahv Kliner*
20 *and Roger L. Farrow*

ORDER

This matter, having come before the Court on the above stipulation, it is hereby
ORDERED THAT:

Relief is granted to extend the following deadlines:

Event	Current Date	Revised Date
Expert Witness Disclosure/Reports Deadline	April 8, 2024	April 29, 2024
Rebuttal Expert Disclosure/Reports Deadline	May 8, 2024	June 5, 2024
Motions Deadline	May 20, 2024	June 10, 2024
Discovery Deadline	June 17, 2024	July 1, 2024

Pursuant to the above Stipulation, the trial date and all other pre-trial deadlines shall remain the same.

IT IS SO ORDERED.

Dated this 6th day of March, 2024.



BENJAMIN H. SETTLE
United States District Judge

Presented by:

FAEGRE DRINKER BIDDLE & REATH LLP

By: s/ Joel D. Sayres

Joel D. Sayres
Shelby Pickar-Dennis
1144 15th Street, Suite 3400
Denver, CO 80202

Telephone: (303) 607-3500
Joel.Sayres@FaegreDrinker.com
Shelby.Pickar-Dennis@FaegreDrinker.com

David J.F. Gross
Braden M. Katterheinrich
Johnathon E. Webb
Doowon R. Chung
2200 Wells Fargo Center
90 S. 7th Street, Suite 2300
Minneapolis, MN 55402
Telephone: (612) 766-7000
David.Gross@FaegreDrinker.com
Braden.Katterheinrich@FaegreDrinker.com
Johnathon.Webb@FaegreDrinker.com
Doowon.Chung@FaegreDrinker.com

Zachary D. Wawrzyniakowski
320 South Canal Street, Suite 3300
Chicago, IL 60606-5707
Telephone: (312) 569-1000
Zachary.Wawrzyniakowski@FaegreDrinker.com

CORR|DOWNS PLLC

Joseph P. Corr, WSBA No. 36584
100 W Harrison St, Suite N440
Seattle, WA 98119
Telephone: 206.962.5040
ghoog@corrdowns.com
jcorr@corrdowns.com

Attorneys for Plaintiff Lumentum Operations LLC

WILEY REIN LLP

By: s/ Scott A. Felder

Scott A. Felder (*Pro Hac Vice*)
Wesley E. Weeks (*Pro Hac Vice*)
2050 M Street NW
Washington, DC 20036
Tel: (202) 719-7000
sfelder@wiley.law
wweeks@wiley.law

HARRIGAN LEYH FARMER & THOMSEN
LLP

Tyler L. Farmer, WSBA No. 39912
Elisabeth Read, WSBA No. 59762
999 Third Avenue, Suite 4400
Seattle, WA 98104
Tel: (206) 623-1700
tylerf@harriganleyh.com
elisabeth.read@harriganleyn.com

***Attorneys for Defendants nLIGHT, Inc., Dahv Kliner
and Roger L. Farrow***